

BOARD OF COUNTY COMMISSIONERS

AGENDA ITEM SUMMARY

Meeting Date: April 21, 2004

Division: Growth Management

Bulk Item: No X

Department: Planning & Env. Resources

AGENDA ITEM WORDING: A public hearing to adopt an ordinance amending Sections 9.5-122.3, 9.5-124.8 and 9.5-266 Monroe County Code, granting to the Growth Management Director & County Attorney the authority to approve Restrictive Covenants & Warranty Deeds. [One hearing only required.]

ITEM BACKGROUND: Presently, all affordable housing restrictive covenants, warranty deeds for land dedication, and restrictive covenants limiting density and intensity on a parcel of land, require approval by the Board of County Commissioners before any development may receive a building permit. In 2003, there were approximately 80 such agreements, all of these were presented to the Board as bulk approval items. Since the inception of ROGO all of these have been approved. The formality of this process is unnecessarily time consuming for the applicant, staff and Commission.

PREVIOUS RELEVANT BOCC ACTION: None

CONTRACT/AGREEMENT CHANGES: N/A

STAFF RECOMMENDATIONS: Approval

TOTAL COST: N/A

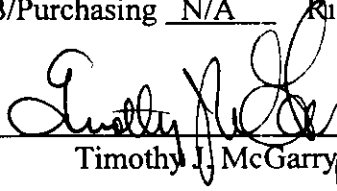
BUDGETED: Yes No X

COST TO COUNTY: N/A

REVENUE PRODUCING: Yes No X **AMOUNT PER MONTH** **Year**

APPROVED BY: County Atty X OMB/Purchasing N/A Risk Management N/A

DIVISION DIRECTOR APPROVAL:


Timothy J. McGarry, AICP

DOCUMENTATION: Included X To Follow Not Required

DISPOSITION:

AGENDA ITEM # 41


KMC
Planning Director

ORDINANCE NO. -2004

AN ORDINANCE AMENDING SEC. 9.5-122.3; SEC.9.5-124.8; SEC. 9.5-266 OF THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS IN ORDER TO GRANT AUTHORITY TO GROWTH MANAGEMENT DIRECTOR AND THE COUNTY ATTORNEY TO APPROVE RESTRICTIVE COVENANTS AND WARRANTY DEEDS UNDER ROGO/NROGO AND AFFORDABLE HOUSING. PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND DIRECTING THE PLANNING DIRECTOR TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, presently, all restrictive covenants for Affordable Housing, warranty deeds for land dedication, restrictive covenants permitting only single-family dwellings on a parcel of land, or, in a few cases, the removal of these restrictive covenants require approval by the board of county commissioners before any development may receive a building permit; and

WHEREAS, in 2003, there were approximately 80 such agreements; and

WHEREAS, all were legally advertised for BOCC regular meetings, and all were formally presented to the commission for approval as Bulk Items; and

WHEREAS, after approval, each agreement is recorded in the office of the county clerk; and

WHEREAS, the commission has approved all of these agreements; none have ever been disapproved; and

WHEREAS, this process has existed since the inception of ROGO; and

WHEREAS, the formality of this process is unnecessarily time-consuming for the applicant, for staff and for the commission; and

WHEREAS, it is proposed that each of these actions be approved by the growth management director and the County Attorney, and then recorded in the office of the County Clerk; and

WHEREAS, Staff finds that the proposed change is consistent with Section 9.5-511(d)(5) b. (iv) New Issues and (v) Recognition of a need for additional detail or comprehensiveness; and

WHEREAS, The Monroe County Board of County Commissioners finds that the proposed change is consistent with the goals of the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, this text change was reviewed and **APPROVED** at the DRC public meeting of January 15, 2004; and

WHEREAS, this text change was reviewed and **APPROVED** at the PC public hearing of January 28, 2004 and **APPROVED** at the public hearing of February 11, 2004;

WHEREAS, The Board of County Commissioners at their meeting of April 21, 2004 in Key West, Florida reviewed the proposed amendment to Sections 9.5-122.3; Sec. 9.5.124.8; & Sec. 9.5-26 as recommended by the Planning Commission and Growth Management.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

strike though text is deleted.	<u>underlined text</u> is new.
-------------------------------------------	--------------------------------

Section 1.

Section 9.5-122.3 Evaluation criteria

(a)(3) Lot aggregation:

Additional requirements:

1. Points will not be awarded for lot aggregation within those areas proposed for acquisition by governmental agencies for the purpose of resource protection.
2. The application shall include but not be limited to the following:
 - 1. An affidavit of ownership of all affected parcels, acreage or land; and
 - 2. A Legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the County, subject to shall be approved by the approval of the board of county commissioners Growth Management Director and County Attorney and recorded prior to filing in the office of the County Clerk. Such covenant must be approved by the board prior to the issuance of before any development approval or may be issued building permit, pursuant to an allocation award.

(a)(4) Acreage tract density reduction:

Additional requirements:

1. The parcel proposed for development must be located in zoning districts in which density is allocated in residential units per acre.
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of the affected parcel, acreage or land;
 - A Legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the

County, ~~subject to~~ shall be approved by the approval of the board of county commissioners Growth Management Director, County Attorney and recorded prior to filing in the Monroe County Clerk's Office, Such covenant must be approved by the board prior to the issuance of before any development approval or may be issued building permit, pursuant to an allocation award.

(a)(5) *Land dedication:*

Additional requirements:

1. "Buildable" means construction of a dwelling unit or some development could be permitted, as determined by the environment resources director Director of Planning.
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of all affected lots, parcels, acreage or land;
 - A statutory warranty deed that conveys the dedicated property to the County shall be approved by the, subject to the approval of the board of county commissioners Growth Management Director, County Attorney and recorded prior to filing in the office of the County Clerk, which conveys the dedicated property to the county. Such deed must be approved by the board prior to the issuance of before any development approval building permit may be issued pursuant to an allocation award.

Section 2.

Sec. 9.5-124.8 Evaluation criteria

(a)(2) *Intensity reduction:*

Additional requirements:

A legally binding restrictive covenant running in favor of Monroe County that limits the floor area ratio of the property to a maximum of twenty three percent (23%) for a period of ten (10) years shall be approved by the ~~Board of County Commissioners Growth Management Director, County Attorney~~ and recorded prior to the issuance of any building permit pursuant to an allocation award.

(a)(3) *Land dedication:*

Additional requirements:

1. "Buildable" shall mean construction of a dwelling unit or non-residential development, as determined by the planning director.
2. The application shall include but not be limited to the following:

- An affidavit of ownership of all affected lots, parcels, acreage or land;
- A statutory warranty deed that conveys the dedicated property to the county shall be approved by the, subject to the approval of the board of county commissioners Growth Management Director, County Attorney and recorded prior to filing in the office of the Clerk of the County, which conveys the dedicated property to the county. Such deed must be approved by the board prior to the issuance of before any development approval building permit may be issued pursuant to an allocation award.

Section 3.

Sec. 9.5-266. Affordable and employee housing; administration.

(b) Administration and compliance:

(7) The restrictive covenants for affordable and employee housing required under this section shall be approved by the Growth Management Director and County Attorney prior to the recording of the covenant and issuance of any building permit.

Section 4. If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such validity.

Section 5. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 7. This ordinance shall be filed in the Office of the Secretary of State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administrative Commission approving the ordinance.

Section 8. This ordinance shall be transmitted by the Planning Department to the Department of Community Affairs to determine the consistency of this ordinance with the Florida Statutes.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida, at a regular meeting of said Board held on the _____ day of _____, 2004.

Mayor Nelson
Mayor Pro Tem Rice
Commissioner McCoy
Commissioner Neugent
Commissioner Spehar

(SEAL)


Attest: DANNY L. KOLHAGE, Clerk

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By _____
Deputy Clerk

By _____
Mayor/Chairperson

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM:


ROBERT N. WOLFE
CHIEF ASSISTANT COUNTY ATTORNEY
Date 4-7-04

**AMENDMENT TO THE MONROE
COUNTY LAND DEVELOPMENT
REGULATIONS**

Board of County Commissioners
Meeting ~ Key West
April 21, 2004

PROPOSED AMENDMENT TO MONROE COUNTY LAND DEVELOPMENT REGULATIONS

AN ORDINANCE AMENDING SEC. 9.5-122.3; SEC.9.5-124.8; SEC. 9.5-266 OF THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS IN ORDER TO GRANT AUTHORITY TO GROWTH MANAGEMENT DIRECTOR AND THE COUNTY ATTORNEY TO APPROVE RESTRICTIVE COVENANTS AND WARRANTY DEEDS UNDER ROGO/NROGO AND AFFORDABLE HOUSING AND PROHIBIT THE AWARD OF POINTS FOR AGGREGATION IN SPECIFIC AREAS; PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND DIRECTING THE PLANNING DIRECTOR TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING AN EFFECTIVE DATE.

Land Development Regulations Text Amendment

Staff	Approval	February 26, 2004	Staff Report
DRC	Approval	February 26, 2004	Resolution #D04-04
PC	Approval	March 10, 2004	Resolution #P04-04

Board of County Commissioners
Proposed Ordinance

**Amendment to Sections
9.5-122.3; 9.5-124.8;
& 9.5-266**

of the Land Development
Regulations

ORDINANCE NO. -2004

AN ORDINANCE AMENDING SEC. 9.5-122.3; SEC.9.5-124.8; SEC. 9.5-266 OF THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS IN ORDER TO GRANT AUTHORITY TO GROWTH MANAGEMENT DIRECTOR AND THE COUNTY ATTORNEY TO APPROVE RESTRICTIVE COVENANTS AND WARRANTY DEEDS UNDER ROGO/NROGO AND AFFORDABLE HOUSING. PROVIDING FOR REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND DIRECTING THE PLANNING DIRECTOR TO FORWARD A CERTIFIED COPY OF THIS ORDINANCE TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, presently, all restrictive covenants for Affordable Housing, warranty deeds for land dedication, restrictive covenants permitting only single-family dwellings on a parcel of land, or, in a few cases, the removal of these restrictive covenants require approval by the board of county commissioners before any development may receive a building permit; and

WHEREAS, in 2003, there were approximately 80 such agreements; and

WHEREAS, all were legally advertised for BOCC regular meetings, and all were formally presented to the commission for approval as Bulk Items; and

WHEREAS, after approval, each agreement is recorded in the office of the county clerk; and

WHEREAS, the commission has approved all of these agreements; none have ever been disapproved; and

WHEREAS, this process has existed since the inception of ROGO; and

WHEREAS, the formality of this process is unnecessarily time-consuming for the applicant, for staff and for the commission; and

WHEREAS, it is proposed that each of these actions be approved by the growth management director and the County Attorney, and then recorded in the office of the County Clerk; and

WHEREAS, Staff finds that the proposed change is consistent with Section 9.5-511(d)(5) b. (iv) New Issues and (v) Recognition of a need for additional detail or comprehensiveness; and

WHEREAS, The Monroe County Board of County Commissioners finds that the proposed change is consistent with the goals of the Monroe County Year 2010 Comprehensive Plan; and

WHEREAS, this text change was reviewed and **APPROVED** at the DRC public meeting of January 15, 2004; and

WHEREAS, this text change was reviewed and **APPROVED** at the PC public hearing of January 28, 2004 and **APPROVED** at the public hearing of February 11, 2004;

WHEREAS, The Board of County Commissioners at their meeting of April 21, 2004 in Key West, Florida reviewed the proposed amendment to Sections 9.5-122.3; Sec. 9.5.124.8; & Sec. 9.5-26 as recommended by the Planning Commission and Growth Management.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, THAT:

strike though text is deleted.	<u>underlined text</u> is new.
-------------------------------------------	--------------------------------

Section 1.

Section 9.5-122.3 Evaluation criteria

(a)(3) *Lot aggregation:*

Additional requirements:

1. Points will not be awarded for lot aggregation within those areas proposed for acquisition by governmental agencies for the purpose of resource protection.
2. The application shall include but not be limited to the following:
 - 1. An affidavit of ownership of all affected parcels, acreage or land; and
 - 2. A Legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the County, subject to shall be approved by the approval of the board of county commissioners Growth Management Director and County Attorney and recorded prior to filing in the office of the County Clerk ~~Such covenant must be approved by the board prior to the issuance of~~ before any development approval or ~~may be issued building permit,~~ pursuant to an allocation award.

(a)(4) *Acreage tract density reduction:*

Additional requirements:

1. The parcel proposed for development must be located in zoning districts in which density is allocated in residential units per acre.
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of the affected parcel, acreage or land;
 - A Legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the

County, ~~subject to~~ shall be approved by the approval of the board of county commissioners Growth Management Director, County Attorney and recorded prior to filing in the Monroe County Clerk's Office, -Such covenant must be approved by the board prior to the issuance of before any development approval or may be issued building permit, pursuant to an allocation award.

(a)(5) *Land dedication:*

Additional requirements:

1. "Buildable" means construction of a dwelling unit or some development could be permitted, as determined by the environment resources director Director of Planning.
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of all affected lots, parcels, acreage or land;
 - A statutory warranty deed that conveys the dedicated property to the County shall be approved by the, subject to the approval of the board of county commissioners Growth Management Director, County Attorney and recorded prior to filing in the office of the County Clerk, which conveys the dedicated property to the county. Such deed must be approved by the board prior to the issuance of before any development approval building permit may be issued pursuant to an allocation award.

Section 2.

Sec. 9.5-124.8 Evaluation criteria

(a)(2) *Intensity reduction:*

Additional requirements:

A legally binding restrictive covenant running in favor of Monroe County that limits the floor area ratio of the property to a maximum of twenty three percent (23%) for a period of ten (10) years shall be approved by the ~~Board of County Commissioners~~ Growth Management Director, County Attorney and recorded prior to the issuance of any building permit pursuant to an allocation award.

(a)(3) *Land dedication:*

Additional requirements:

1. "Buildable" shall mean construction of a dwelling unit or non-residential development, as determined by the planning director.
2. The application shall include but not be limited to the following:

- An affidavit of ownership of all affected lots, parcels, acreage or land;
- A statutory warranty deed that conveys the dedicated property to the county shall be approved by the, subject to the approval of the board of county commissioners Growth Management Director, County Attorney and recorded prior to filing in the office of the Clerk of the County, which conveys the dedicated property to the county. Such deed must be approved by the board prior to the issuance of before any development approval building permit may be issued pursuant to an allocation award.

Section 3.

Sec. 9.5-266. Affordable and employee housing; administration.

(b) Administration and compliance:

(7)The restrictive covenants for affordable and employee housing required under this section shall be approved by the Growth Management Director and County Attorney prior to the recording of the covenant and issuance of any building permit.

- Section 4.** If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such validity.
- Section 5.** All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.
- Section 7.** This ordinance shall be filed in the Office of the Secretary of State of Florida, but shall not become effective until a notice is issued by the Department of Community Affairs or Administrative Commission approving the ordinance.
- Section 8.** This ordinance shall be transmitted by the Planning Department to the Department of Community Affairs to determine the consistency of this ordinance with the Florida Statutes.

[The remainder of this page is left blank intentionally]

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the _____ day of _____, A.D., 2004.

Mayor Murray Nelson	_____
Mayor Pro Tem David P. Rice	_____
Commissioner Charles "Sonny" McCoy	_____
Commissioner George Neugent	_____
Commissioner Dixie Spehar	_____

**BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA**

BY _____
Mayor Murray Nelson

(SEAL)

ATTEST: DANNY KOHLAGE, CLERK

DEPUTY CLERK

Board of County Commissioners
Staff Report

April 21, 2004
Key West, Florida

MEMORANDUM

TO: The Board of County Commissioners

FROM: K. Marlene Conaway, Director of Planning & Env. Resources

DATE: March 30, 2004

SUBJECT: PROPOSED AMENDMENTS TO SEC. 9.5-122.3; SEC.9.5-124.8; & SEC. 9.5-266 OF THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS IN ORDER TO GRANT AUTHORITY TO GROWTH MANAGEMENT DIRECTOR AND THE COUNTY ATTORNEY TO APPROVE RESTRICTIVE COVENANTS AND WARRANTY DEEDS UNDER ROGO/NROGO AND AFFORDABLE HOUSING.

I. BACKGROUND

Presently, all restrictive covenants for Affordable Housing, warranty deeds for land dedication, restrictive covenants permitting only single-family dwellings on a parcel of land, or, in a few cases, the removal of these restrictive covenants require approval by the Board of County Commissioners before any development may receive a building permit. In 2003, there were between 75 to 80 such agreements. All were legally advertised for BOCC regular meetings, and all were formally presented to the Commission for approval as Bulk Items. After approval, each agreement is recorded in the office of the county clerk. The Commission has approved all of these agreements; none have ever been disapproved. This process has existed since the inception of ROGO.

Each of these agreements requires that Growth Management staff schedules and prepares newspaper advertisements, prepares Briefing Sheets, etc. The formality of this process is unnecessarily time-consuming for the applicant, for staff and for the Commission. It is proposed that each of these actions be approved by the Growth Management Director and the County Attorney, and then recorded in the office of the County Clerk.

This text change was reviewed and recommended approval at the DRC public meeting of January 15, 2004.

This text change was reviewed at the PC public hearing of January 28, 2004 and was continued to the PC meeting of February 11, 2004. At the PC public hearing of February 11, 2004, the proposal was recommended for approval.

II. RECOMMENDATION

Staff recommends the Board of County Commissioners approve the following amendments to the Land Development Regulations:

III. PROPOSED TEXT CHANGES

~~strike through text~~ is deleted.

underlined text is new.

Section 9.5-122.3 Evaluation criteria

(a)(3) *Lot aggregation:*

Additional requirements:

1. The application shall include but not be limited to the following:
 - ~~1, An affidavit of ownership of all affected parcels, acreage or land; and~~
 - 2. ~~A Legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the county, subject to shall be approved by the approval of the board of county commissioners growth management director and county attorney and recorded prior to filing in the office of the clerk of the county. Such covenant must be approved by the board prior to the issuance of before any development approval may be issued building permit pursuant to an allocation award.~~

(a)(4) *Acreage tract density reduction:*

Additional requirements:

1. ~~The parcel proposed for development must be located in zoning districts in which density is allocated in residential units per acre.~~
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of the affected parcel, acreage or land;
 - ~~A Legally binding restrictive covenant limiting the number of dwelling units on the acreage tract, running in favor of Monroe County and enforceable by the county, subject to shall be approved by the approval of the board of county commissioners growth management director and county attorney and recorded prior to filing in the office of the clerk of the county. Such covenant must be approved by the board prior to the issuance of before any development approval may be issued building permit pursuant to an allocation award.~~

(a)(5) *Land dedication:*

~~—Additional requirements:~~

- ~~1. "Buildable" means construction of a dwelling unit or some development — could be permitted, as determined by the environment resources director director of planning.~~
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of all affected lots, parcels, acreage or land;
 - A statutory warranty deed that conveys the dedicated property to the county shall be approved by the, subject to the approval of the board of county commissioners growth management director and county attorney and recorded prior to filing in the office of the clerk of the county, which conveys the dedicated property to the county. Such deed must be approved by the board prior to the issuance of before any development approval building permit may be issued pursuant to an allocation award.

~~Sec. 9.5 124.8 Evaluation criteria~~

(a)(2) Intensity reduction:

Additional requirements:

A legally binding restrictive covenant running in favor of Monroe County that limits the floor area ratio of the property to a maximum of twenty three percent (23%) for a period of ten (10) years shall be approved by the ~~Board of County Commissioners growth management director and county attorney~~ and recorded prior to the issuance of any building permit pursuant to an allocation award.

(a)(3) Land dedication:

Additional requirements:

1. "Buildable" shall mean construction of a dwelling unit or non-residential development, as determined by the planning director.
2. The application shall include but not be limited to the following:
 - An affidavit of ownership of all affected lots, parcels, acreage or land;
 - A statutory warranty deed that conveys the dedicated property to the county shall be approved by the, subject to the approval of the board of county commissioners growth management director and county attorney and recorded prior to filing in the office of the clerk of the county, which conveys the dedicated property to the county. Such deed must be approved by the board prior to the issuance of before any development approval building permit may be issued pursuant to an allocation award.

Sec. 9.5-266. Affordable and employee housing;

Administration.

(b) *Administration and compliance:*

(7) The restrictive covenants for affordable and employee housing required under this section shall be approved by the growth management director and county attorney prior to the recording of the covenant and issuance of any building permit.

[The remainder of this page is left blank intentionally]

Planning Commission
Resolution

P06-04

PLANNING COMMISSION RESOLUTION #P06-04

A RESOLUTION BY THE MONROE COUNTY DEVELOPMENT REVIEW COMMITTEE RECOMMENDING APPROVAL TO THE MONROE COUNTY PLANNING COMMISSION OF THE REQUEST FILED BY THE MONROE COUNTY PLANNING DEPARTMENT TO AMEND SEC. 9.5-122.3; SEC.9.5-124.8; SEC. 9.5-266 OF THE MONROE COUNTY LAND DEVELOPMENT REGULATIONS IN ORDER TO GRANT AUTHORITY TO GROWTH MANAGEMENT STAFF TO APPROVE RESTRICTIVE COVENANTS AND WARRANTY DEEDS UNDER ROGO/NROGO AND AFFORDABLE HOUSING.

WHEREAS, presently, all restrictive covenants for Affordable Housing, warranty deeds for land dedication, restrictive covenants permitting only single-family dwellings on a parcel of land, or, in a few cases, the removal of these restrictive covenants require approval by the board of county commissioners before any development may receive a building permit; and

WHEREAS, in 2003, there were between 75 to 80 such agreements; and

WHEREAS, all were legally advertised for BOCC regular meetings, and all were formally presented to the commission for approval as Bulk Items; and

WHEREAS, after approval, each agreement is recorded in the office of the county clerk; and

WHEREAS, the commission has approved all of these agreements; none have ever been disapproved; and

WHEREAS, this process has existed since the inception of ROGO; and

WHEREAS, each of these agreements requires that growth management staff schedules and prepares newspaper advertisements, prepares Briefing Sheets, etc; and

WHEREAS, the formality of this process is unnecessarily time-consuming for the applicant, for staff and for the commission; and

WHEREAS, it is proposed that each of these actions be approved by the growth management director and the county attorney, and then recorded in the office of the county clerk; and